

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH  
AT NEW DELHI**

**O. A. NO. 423 OF 2022**

Mohinder Pal & Another

...Applicants

VERSUS

State of Haryana and Others

---Respondents

**INDEX**

<b>Sr. No.</b>	<b>Particulars</b>	<b>Date</b>	<b>Page No.</b>
1.	Short Reply		1-5
2.	<b>Annexure R-1</b> Copy of the order of Appointment/Designation Enforcement Officer	06.12.2021	6-7
3.	<b>Annexure R-2</b> letter to DC, Yamunanagar	08.06.2022	8
4.	<b>Annexure R-3</b> Copy of letter by DC, to concerned Officers	09.06.2022	9
5.	<b>Annexure R-4</b> Report by the Regional Officer	04.07.2022	10

Place: Panchkula

Date:

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Short reply on behalf of the Haryana  
Water Resources (Conservation,  
Regulation and Management)  
Authority (respondent No.6).

**Respectfully showeth:-**

1. That at the outset it is submitted that the Government of Haryana enacted the Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020, on 07.12.2020 (hereinafter the Act). The Notification for establishment of the Authority was issued on 14.12.2020, with effect from 07.12.2020, the mandate of the Authority, under the provisions of the Act, is for regulation, management and conservation of the water resources in the State of Haryana.

2. That as per the provisions of the Act, the guidelines dated 23.12.2020, were issued by the Government under Section 16 of the Act, which were revised by the Authority and were issued under Section 12(3) of the Act on 10.09.2021.
3. That as per the above said guidelines it is mandatory for the project proponents to seek permission/NOC from the Authority before extraction of groundwater. The Authority has developed an online portal for the applicants to apply before the Authority to seek NOC for extraction of groundwater. These guidelines and provisions have been made applicable on infrastructure, industry and mining projects.
4. That the present original application has been filed by the applicant, inter alia, with the prayer to direct the private respondents to pay penalty for illegal extraction of groundwater in terms of Notification 17.03.2022, issued by the Haryana Water Resources Authority.
5. That In this regard it is submitted that the contents of the original application shows that the applicant has raised the issue of illegal mining of Boulder and Gravel at Villages Mandoli Ghaggar (west), Mandoli Ghaggar (east), Village Kanlsi and Village Jairampur jagir in District Yamunanagar. The applicant has also alleged that the applicants have been extracting groundwater without seeking permission/NOC from the Authority.

6. That It is submitted that the Authority got the approval, on 06.12.2021, for establishment of its Enforcement Wing and appointment of Inquiry/Enforcement Officers, from the Government under Section 19 of the Act. It is further submitted that the Authority without delay, marked the directed the Deputy Commissioner, Yamunanagar, to get the inquiry conducted as to whether any illegal extraction of groundwater is being done as alleged by the applicant in the original application and directed to submit the report, at the earliest. Copy of the order of appointment/designation of Inquiry/Enforcement Officer dated 06.12.2021 and the copy of the letter to DC, Yamunanagar dated 08.06.2022 are annexed herewith as **Annexure - R-1** and **R-2** respectively.
7. That it is further submitted that the Deputy Commissioner, Yamunanagar, vide letter dated 09.06.2022, directed the concerned officers to take necessary action and submit the report to the Authority. In compliance of the direction of the Authority and of the Deputy Commissioner, Yamunanagar, the report was submitted to the Authority by Regional Officer, HSPCB-cum-Enforcement Officer, HWRA, vide letter dated 04.07.2022. Copy of the letter dated 09.06.2022 is annexed herewith as **Annexure R-3**.
8. That it is submitted that as per the report submitted by Regional Officer-Enforcement Officer, HWRA, that none

of the miners, as impleaded by the applicant in the original application, have been using under groundwater and also stated in the report that these miners are fulfilling their requirement through private water tankers. It is also mentioned in the report that as per consent to operate issued to these miners they are required to fulfil their water consumption through water tanker only. Copy of the report dated 04.07.2022 is annexed herewith as **Annexure R-4.**

9. That it is further submitted that the Regional Officer-cum-Enforcement Officer, HWRA has submitted the report as the officer record and on the basis of conditions in the consent to operate issued to the miners. However, the Authority has decided to direct the Deputy Commissioner, Yamunanagar, to get conducted a site inspection for checking the alleged illegal extraction of groundwater and then submit the report afresh.
10. That as the only issue of the applicant, which relates to the Authority, is alleged illegal extraction by the miners and consequently the imposition of environment compensation, therefore, it is submitted that the Authority seeks permission, from the Hon'ble National Green Tribunal, to file this short reply with the interim report received from the Regional Officer Yamunanagar, HSPCB. The Authority further submits that as per the

directions by the Hon'ble Tribunal, the detailed reply, if required, shall be filed by the Authority.

Therefore, it is most humbly prayed that the Authority may be allowed to file the short reply and the same may be taken on record. It is further, prayed that the original application may kindly be dismissed qua the Authority (respondent No.6) or may issue and other directions/order as the Hon'ble Tribunal may deemed fit, in the interest of Justice.

Place: Panchkula

Date:



(*Satbir S. Kadian*)  
Chief executive Officer  
For Chairperson,  
Haryana Water Resources Authority,  
3<sup>rd</sup> Floor, Rear Building, HSVP,  
Sector-6, Panchkula, Haryana.

**HARYANA GOVERNMENT**  
**IRRIGATION & WATER RESOURCES DEPARTMENT**  
**ORDER**

In exercise with the power conferred under Section 19 and 20 of "The Haryana Water Resources (Conservation, Regulation and Management) Authority Act, 2020. The Governor of Haryana is pleased to designate the officer of the department i.e. Irrigation & Water Resources (Executive Engineer), Town and Country Planning (Not below the rank of District Town Planner), Haryana State Pollution Control Board (Not below the rank of Regional Officer) as Enquiry officer/Enforcement officer/Compliance Officer in addition to their present duties, in "The Haryana Water Resources Authority (HWRA)", Panchkula. The functions of the officers shall be as per the provisions of the Section 19 and 20 or as may be directed by the Authority, including discovery & production of documents, summoning and enforcing the attendance of any person, to conduct field inspection, enter into any premises for inspection and inquiry, submit report/interim report to the Authority..

Sr. No.	District/Block	Irrigation and Water Resources Deptt.	Town and Country Planning Deptt.	Haryana State Pollution Control Board	Jurisdiction
1.	Ambala	Executive Engineer, W.S. Div. Ambala	Concerned District Town Planner	Concerned Regional Officer	Ambala
2.	Kurukshetra	Executive Engineer, W.S. Div. Kurukshetra	-Do-	-Do-	Kurukshetra
3.	Panchkula	Executive Engineer, W.S. Div., Panchkula	-Do-	-Do-	Panchkula
4.	Kaithal	Executive Engineer, Pundri W.S. Div. Kaithal	-Do-	-Do-	Kaithal
5.	Narwana	Executive Engineer, W.S. Div., Narwana	-Do-	-Do-	Narwana
6.	Hisar	Executive Engineer, Adampur W.S. Div., Hisar	-Do-	-Do-	Hisar
7.	Fatehabad	Executive Engineer, W.S. Div. Fatehabad	-Do-	-Do-	Fatehabad
8.	Sirsa	Executive Engineer, Nehrana W.S. Div. Sirsa	-Do-	-Do-	Sirsa
9.	Jagadhri	Executive Engineer, W.S. Div. Jagadhri	-Do-	-Do-	Yamunanagar
10.	Karnal	Executive Engineer, Karnal W.S. Div. Karnal	-Do-	-Do-	Karnal
11.	Panipat	Executive Engineer, Panipat W.S. Div. Panipat	-Do-	-Do-	Panipat
12.	Jind	Executive Engineer, W.S. Div. Jind	-Do-	-Do-	Jind
13.	Bhiwani	Executive Engineer, Bhiwani W.S. Div. Bhiwani	-Do-	-Do-	Bhiwani
14.	Ch. Dadri	Executive Engineer, W.S. Div. LWS (Mech) Divn. Ch. Dadri	-Do-	-Do-	Ch. Dadri
15.	Rohtak	Executive Engineer, W.S. Div. W.S. Feeder Divn. Rohtak	-Do-	-Do-	Rohtak
16.	Sonapat	Executive Engineer, Rai W.S. Div. Sonapat	-Do-	-Do-	Sonapat
17.	Gurugram	Executive Engineer, W.S. Div. G.W.S. Divn. Gurugram	-Do-	-Do-	Gurugram
18.	Jhajjar	Executive Engineer, Jhajjar W.S. Div. Jhajjar	-Do-	-Do-	Jhajjar
19.	Faridabad	Executive Engineer, W.S. Div. Faridabad	-Do-	-Do-	Faridabad

14  
6/12/24

20.	Nuh	Executive Engineer, Mewat W.S. Divn. Nuh	-Do-	-Do-	Nuh
21.	Rewari	Executive Engineer, W.S. (Elect) Divn. Rewari	-Do-	-Do-	Rewari
22.	Mahendergarh	Executive Engineer, W.S. Div. M/garh canal W.S. (Mech) Divn. Narnaul	-Do-	-Do-	Mahendergarh
23.	Gohana	Executive Engineer, Gohana W.S. Divn, Gohana	-Do-	-Do-	Gohana
24.	Bahadurgarh	Executive Engineer, W.S. Divn, Bahadurgarh	-Do-	-Do-	Bahadurgarh

Devender Singh  
Additional Chief Secretary to Govt. Haryana  
Irrigation & W.R. Department

Dated Chandigarh, the 30 November, 2021

Endstt. No. 1IW-030001/19/2021

Dated: - 06.12.2021

A copy, each is forwarded to the following for information and necessary action.

1. The Chairperson, Haryana Water Resources Authority, Sinchai Bhawan, Sector-5, Panchkula.
2. Principal Secretary to Govt. of Haryana, Town & Country Planning Department with request to issue necessary direction to the concerned officer.
3. The Chairman, Haryana State Pollution Control Board, Sector- 6, Panchkula with request to issue necessary direction to the concerned officer.
4. Engineer-in-Chief, Irrigation and Water Resources Department, Sinchai Bhawan, Sector- 5, Panchkula.
5. PS/ACSI&WRD
6. PS/SIWRD

*x/11/11/2021*  
*6/12/2021*  
Superintendent, Irrigation (Works),  
for Additional Chief Secretary to Government, Haryana  
Irrigation and Water Resources Department



## HARYANA WATER RESOURCES AUTHORITY

Rear Building 3rd Floor, HSVP, Sector-6, Panchkula  
Website: www.hwra.org.in

To,

The Deputy Commissioner,  
Mini Secretariat,  
District Yamunanagar, Haryana.

No. 188-89/LA/HWRA/2022

Dated: 08.06.2022

**Subject: Notice of Hon'ble NGT in Original Application No.423/2022  
Mohinderpal and another vs. State of Haryana and others.**

Kindly refer to the subject cited above.

In this regard it is submitted that a notice dated 04.06.2022 (**copy attached**) has been received from the Hon'ble Nation Green Tribunal along with the order dated 31.05.2022 (**copy attached**).

The ibid Original Application filed before Hon'ble NGT pertains to illegal mining of boulder and gravels at villages Mandoli Ghaggar(west), Mandoli Ghaggar(east), Kanalsi and village Jairampur Jaggir in District Yamunanagar. It is also pleaded in the application that groundwater permission has not been sought by the miners and illegal extraction of groundwater is also be done.

The next date in the Original Application is 13.07.2022 and before that the status report/reply has to be filed in the Hon'ble Nation Green Tribunal. Therefore, the undersigned has been directed to send the notice, order and the copy of the Original Application to your office with further request to send the report of illegal extraction of ground water within 07 days.

Kindly treat this most urgent as the NGT case is fixed for 13.07.2022.

  
(Parveen Jain)

Legal Advisor,  
For Chairperson, HWRA  
08.06.2022

**Copy to:**

The PS to Chairperson, HWRA for kind information of W. Chairperson,  
Haryana Water Resources Authority.

प्रेषक

उपायुक्त, यमुनानगर।

सेवा में

जिला खान एवं भू विज्ञान अधिकारी,  
यमुनानगर।

क्रमांक 2066 /एम0ए0 दिनांक 09-06-2022

विषय:-

Notice of Hon'ble NGT in original application No. 423/2022 Mohinder Pal and another Vs State of Haryana and others.

विषयाधीन मामले बारे आपको चेयरपर्सन एच0डब्ल्यू0आर0ए0 के पत्र क्रमांक 188-189/एल0ए0/एच0डब्ल्यू0आर0ए0/2022 दिनांक 08/06/2022 के साथ माननीय एन0जी0टी0 के आदेश दिनांक 31/05/2022 की प्रति भेजकर लिखा जाता है कि पारित आदेशों की पालना में Boulder and Gravel के अवैध खनन को रोकने हेतु सभी आवश्यक कदम उठाये जाये। इसके अतिरिक्त मौका पर भूमि से अवैध रूप से जल निकालने बारे रिपोर्ट दिनांक 15/06/2022 तक चेयरपर्सन एच0डब्ल्यू0आर0ए0 को रिपोर्ट सीधेतौर पर भिजवाना सुनिश्चित करें तथा रिपोर्ट की एक प्रति इस कार्यालय में भी भिजवाना सुनिश्चित करें। निश्चित तिथि पर पालना रिपोर्ट माननीय एन0जी0टी0 में इस कार्यालय की ओर से दाखिल करना सुनिश्चित करें।  
संलग्न: उपरोक्त अनुसार ।

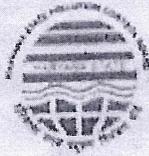
  
उपायुक्त, यमुनानगर।  
09/06/2022

पृ0 क्रमांक 2067 /एम0ए0 दिनांक 9-06-2022

इसकी एक प्रति निम्नलिखित को तुरन्त पालनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. पुलिस अधीक्षक, यमुनानगर ।
2. उपमण्डल अधिकारी, (ना0) बिलासपुर, जगाधरी, रादौर ।
3. क्षेत्रीय अधिकारी, प्रदूषण नियन्त्रण बोर्ड, यमुनानगर।
4. कार्यकारी अभियन्ता, जल सेवायें मण्डल जगाधरी।

  
उपायुक्त, यमुनानगर।  
09/06/2022



Annexure R/4  
Regional Office, Yamuna Nagar Region  
Haryana State Pollution Control Board  
S.C.O. No- 131, Sector -17, HUDA, Jagadhari, Yamuna Nagar  
Website - [www.hspcb.gov.in](http://www.hspcb.gov.in) E-Mail - [hspcbroyr@gmail.com](mailto:hspcbroyr@gmail.com)  
Contact No. 01732-268137, 237840

No. HSPCB/YR/2022/ 3823

Dated: 04/07/2022

To  
The Chairperson,  
Haryana Water Resource Authority,  
Rear Building, 3rd Floor,  
HSVP, Sector-6, Panchkula.

Sub:- Notice of Hon'ble NGT in original application no 423/2022 Mohinder Pal and another Vs State of Haryana and others.

Ref:- Deputy Commissioner, Yamuna Nagar Office letter no. 4098 dated 04.07.2022 & your office letter no. (to Deputy Commissioner, Office) 188-189/LA/HWRA/2022 dated 09.06.2022.

In this connection, it is submitted that in the above referred OA No. 04 no. mines are mentioned i.e.

Sr. No.	Name of Mines
1	M/s P S BUILDTECH, Village Kanalsi, Block YNR B 5, Tehsil Jagadhri, District Yamuna Nagar.
2	M/s JSM Foods Private Limited, Village Mandoli, Ghaggar West, Block 4, District Yamuna Nagar.
3	M/s JSM Foods Pvt Ltd, Village Mandoli, Ghaggar East, Block 3, District Yamuna Nagar.
4	M/s Balaji Infra, Village Jairampur Jagir, Block YNR/B-5, Tehsil Jagadhri, District Yamuna Nagar.

Regarding unauthorized/illegal extraction of ground water by these miners it is submitted as per record of this office, none of the above miners, is using the underground water through borewell and fulfilling their requirement of water through private water tankers. Also the permission (CTO) to these miners is for water consumption through tankers only.

It is submitted for your kind information please.

Regional Officer  
Yamuna Nagar

No. HSPCB/YR/2022/ 3824

Dated: 04/07/2022

A copy of above is forwarded to The Deputy Commissioner, Yamuna Nagar w.r.t office letter no. 4098 dated 04.07.2022 for information please.

Regional Officer  
Yamuna Nagar

CFMS No.  
1130  
06/07/2022

06/07/2022